

**DASTI, McGUCKIN, McNICHOLS
CONNORS, ANTHONY & BUCKLEY**

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Attorneys for **Defendant, Toms River Township**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**JOHN DOE 1, JOHN DOE 2, AND JOHN
DOE 3,**

Plaintiffs,

vs.

**TOMS RIVER FIRE DISTRICT 2, TOMS
RIVER BOARD OF FIRE
COMMISSIONERS DISTRICT #2,
SILVERTON VOLUNTEER FIRE
COMPANY #1, TOMS RIVER
TOWNSHIP, OCEAN COUNTY,
ROBERT SINNOTT, MICHAEL
COCCO, RICHARD GORMAN,
TIMOTHY CARSON, KEVIN W.
BRITTON, MICHAEL WILSON, DAVID
H. SEIDERS, JOSEPH DUFF, RICHARD
HEROY, JOHN KEATING JR., JOHN
CAROLAN, BRIAN TILLOTSON, TOM
MORRIS, JR., STEVE HENRY, GUS
BAXES, GARY TATTERSALL, JOHN
DOES (A-Z) and ABC CORPORATIONS
(A-Z),**

Defendants.

Civil Action No. 3:25-cv-02889-ZNG-TJB

**ORDER OF DISMISSAL WITHOUT
PREJUDICE BY CONSENT OF ALL
FEDERAL CLAIMS AND REMAND OF
PLAINTIFF'S COMPLAINT TO STATE
COURT**

**DASTI, McGUCKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

Plaintiffs, JOHN DOE 1, JOHN DOE 2, AND JOHN DOE 3, by and through its attorneys
Anapol Weiss, having filed a Complaint in the Superior Court of New Jersey, Ocean County,

and Defendant, Toms River Township, by and through its attorneys Dasti, McGuckin, McNichols, Connors, Anthony and Buckley, having filed a notice of removal to this Court:

IT IS on this **23rd** day of **June** 2025, ORDERED as follows:

1. Plaintiffs confirm that the Complaint asserts no causes of action arising under federal law, including any claims premised on federal statutes or regulations, and Plaintiffs do not intend to assert or pursue any such federal claims in this matter. To the extent any such claims could be construed as having been asserted, Plaintiffs hereby dismiss them without prejudice and without costs. Nothing herein shall be construed as a waiver of Plaintiffs' right to pursue state-law claims that may reference or rely upon federal standards as part of the evidentiary or legal framework for state-law theories of liability, including but not limited to negligence per se; and
2. Based on the dismissal without prejudice of all federal claims, as this Court does not have subject matter jurisdiction over the remaining counts of the Complaint alleging violations of State Law, the Clerk of the Court is directed to remand this matter to the Superior Court of New Jersey, Law Division, Ocean County;
3. The Clerk of the Court is directed to transmit to the Superior Court of New Jersey, Law Division, Ocean County a letter enclosing a certified copy of this order.
4. The Clerk of the Court is directed to **CLOSE** this matter.

**DASTI, MCGUCKIN,
McNICHOLS, CONNORS,
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/s/ Zahid N. Quraishi

ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE

WE CONSENT TO THE ENTRY OF THIS ORDER:

s/ Suzanne M. Marasco

Suzanne M. Marasco, Esq.
Hill Wallack, LLP
Attorneys for **TRFD#2 Defendants**

s/ Kristen Feden

Kristen Feden, Esq.
Anapol Weiss
Attorneys for **Plaintiffs**

s/ Patrick F. Varga

Patrick F. Varga, Esq.
Attorneys for **Defendant, Toms River Twp.**

s/ Christopher Paldino

Christopher Paldino, Esq.
Chiesa, Shaninian & Giatomasi, PC
Attorneys for **Silverton Volunteer Fire Company Defendants**

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